

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION**

ZAPATA COUNTY, TEXAS,
MELISSA CIGARROA,
CCMD, LLC & GEORGE C.
RINCON,

Plaintiffs,

v.

JOSEPH R. BIDEN, JR. PRESIDENT OF
THE UNITED STATES; ALEJANDRO
MAYORKAS, as the secretary of THE
UNITED STATES OF AMERICA’S
DEPARTMENT OF HOMELAND
SECURITY and TROY MILLER, as
the Acting Commissioner of THE UNITED
STATES CUSTOMS AND BORDER
PROTECTION,

Defendants.

CASE NO. 5:20-CV-106

JOINT ADVISORY

1. On May 24, 2021, the Court stayed¹ Civil Action No. 5:20-CV-106 and ordered the Plaintiffs and Defendants (collectively, the “Parties”) to file a Joint Advisory on the status of this case on or before July 20, 2021.

2. The purpose of the stay was to allow the United States Department of Homeland Security (“DHS”), United States Custom and Border Protection (“CBP”), United States Department of Defense (“DOD”), and other federal agencies to develop a plan concerning the southern border wall as directed by the President’s Proclamation of January 20, 2021.²³

¹ Dkt. No. 35

² “Termination Of Emergency With Respect To The Southern Border Of The United States And Redirection Of Funds Diverted To Border Wall Construction. Proclamation No. 10142, 86 Fed. Reg. 7225 (Jan. 27, 2021).

³ Dkt. No. 33

3. Suspension notices have been issued to the construction contractors working on CBP-funded wall projects the Laredo Sector that are at issue in this case. The suspension notices require the construction contractors to suspend all work in furtherance of their respective contracts.

4. On June 9, 2021, DHS released its “Border Wall Plan Pursuant to Presidential Proclamation 10142”.⁴ Among other things, the plan directs that prior to further construction, DHS will undertake a thorough review and replanning process, to include: engage in standard environmental planning, enter into robust and substantive consultation with stakeholders, and review status of all pending border wall land eminent domain actions.

5. In order for the thorough review and replanning process to be completed, the Parties request an additional 60-day stay. A stay would allow time for the relevant agencies to develop this thorough review and replanning process and for the parties to evaluate the impacts this would have on the present case. For these reasons, the Parties recommend that the case be stayed for 60 days, through September 20, 2021.

Respectfully Submitted,

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⁴ https://www.dhs.gov/sites/default/files/publications/21_0611_dhs_security_border_wall_plan.pdf

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